

# Wetlands Applications Decision Report

Decisions Taken  
11/13/2017 to 11/19/2017

Approved  
11/22/17  
MAT

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or [atappeals@des.nh.gov](mailto:atappeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

**MAJOR IMPACT PROJECT**

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**2016-01953**

**MANCHESTER-BOSTON REGIONAL AIRPORT**

**LONDONDERRY Unnamed Wetland**

**Requested Action:**

Agent for applicant requests a waiver to Rule Env-Wt 807.06(b) which requires the ARM Fund payment to be submitted within 120 days of permit decision and requests a one year extension. Waiver request addresses Rule Env-Wt 204.03.

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**Conservation Commission/Staff Comments:**

7/8/16 Per DHR, additional information is needed in order to complete review. See letter in the file.

**APPROVE WETLAND WAIVER**

Waive Rule Env-Wt 807.06(b) and approve impacts of 311,625 square feet of palustrine forested, scrub-shrub, and emergent wetland including impacting 5,230 linear feet of an unnamed intermittent stream to clear trees from the southern end of runway 17-35 at Manchester-Boston Regional Airport to comply with the Federal Aviation Administration regulations. Compensatory mitigation to satisfy the Army Corps of Engineers requirements for the conversion of forested wetland areas results in a one-time payment of \$16,544.83 into the Aquatic Resource Mitigation ("ARM") Fund and the remaining payment of \$82,724.18 in one year or no later than October 20, 2018.

**With Conditions:**

1. All work shall be in accordance with plans by The Smart Associates Environmental Consultants, Inc. and Jacobs dated February 2016 and revised through 12/8/16 as received by the NH Department of Environmental Services (DES) on January 17, 2017. No work is authorized by this permit on parcels 14-29-17, 14-29, 14-29-16, 14-29-14, and 14-29-18 (42 acres privately owned).
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. This approval is not valid until DES receives a one time payment of \$82,724.18 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment no later than October 20, 2018, DES will deny the application.
4. No clearing shall occur on private properties unless agreements have been made with those property owners. Submittal of the agreements shall be sent to DES prior to the commencement of any work on the affected properties.
5. This permit is contingent upon the submittal of the recorded deed for the Trolley Crossing property conveyance to the NH Fish and Game Department by September 1, 2017.
6. An initial monitoring report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and jurisdictional areas, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of the project. DES Wetlands Program may require subsequent monitoring and corrective measures.
7. A 30 foot wide no-cut buffer between lot 14-1-1 and 14-32 shall be marked by monuments or plaques and maintained throughout the project and included in the monitoring report noted in condition #6 with photographs noting the markers.
8. The permit is contingent upon a \$50,000.00 contribution to the New Hampshire Fish & Game Nongame & Endangered Wildlife Program as mitigation to the rare species identified by New Hampshire Natural Heritage Bureau Datacheck Results Letter NHB15-1824 identifying several rare species in the vicinity of the proposed impacts.
9. A copy of the payment to NHFG shall be submitted to DES by September 1, 2017.
10. All work shall be done in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire (2004)" published by the NH Department of Resources & Economic Development (The manual is available on the internet at:  
(<http://www.nhdfi.org/library/pdf/Forest%20Protection/2004%20BMPs%20for%20Erosion%20Control.pdf>);
11. No stumping, grubbing, or grading shall occur.
12. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during the

project.

13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

14. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

16. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate

2. The impacts are necessary to comply with the Federal Aviation Administration regulation 14 CFR Part 77; therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. No stumping or grading will occur within the cutting areas; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB15-1824 identifying several rare species in the vicinity of the proposed impacts.

6. In response to the rare species identified by NHB, the applicant has coordinated with the NH Fish and Game Department (NHFG) and offered the following as mitigation for potential impact: a.) a 30-foot no-cut buffer around the wetlands on lots 14-1-1 and 14-32; and b.) a \$50,000 contribution to the NHFG Nongame & Endangered Wildlife Program for the Musquash project in Londonderry.

7. In a letter dated December 9, 2015, the NH Division of Historical Resources states, "it has been determined that there are no know properties of archaeological significance with the area of the undertaking's potential impact and no further identification or evaluative studies are recommended."

8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

9. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for a mitigation payment and equals \$99,269.01.

10. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

11. The payment into the ARM fund shall be deposited in the DES fund for the Merrimack River watershed per RSA 482-A:29.

12. The applicant has requested a waiver to the 120 day deadline for receipt of the ARM Fund payment until October 20, 2018 and prior to start of construction.

13. The waiver is granted. The remainder of the ARM Fund payment shall be submitted prior to construction and before October 20, 2018.

14. The payment calculated for the administrative fee for the wetland loss equals \$16,544.83.

15. The payment calculated for the proposed wetland loss (subtracting the administrative fee) equals \$82,724.18.

16. The Department decision is issued in letter form and upon receipt of the total ARM Fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

2017-02321

EFFINGHAM, TOWN OF

#### EFFINGHAM SOUTH RIVER

#### Requested Action:

Proposal to dredge and fill a total of 2,488 square feet, 1,023 square feet permanent and 1,465 square feet temporary, of surface waters and banks for the removal of four (4) existing 6 foot diameter x 24 feet long CMP culverts and replace with a 41 foot long x 24 foot wide single span bridge within the same general footprint.

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Conservation Commission/Staff Comments:

11-13-17 - No historic properties affected per DHR.

APPROVE PERMIT

Dredge and fill a total of 2,488 square feet, 1,023 square feet permanent and 1,465 square feet temporary, of surface waters and banks for the removal of four (4) existing 6 foot diameter x 24 feet long CMP culverts and replace with a 41 foot long x 24 foot wide single span bridge within the same general footprint.

With Conditions:

1. All work shall be in accordance with plans by Eckman Engineering, LLC dated May 2017, and revised through October 2017 as received by the NH Department of Environmental Services (NHDES) on October 10, 2017.
2. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
3. The applicant shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Construction equipment shall not be located within surface waters.
6. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
8. Temporary work areas shall be restored to original condition upon completion of work.
9. Any further alteration of areas on these properties that are within the jurisdiction of the NHDES Wetlands Bureau will require a new application and further permitting by the Bureau.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a major impact project per administrative rule Env-Wt 303.02(p), any project that includes a new or replacement stream crossing which meets the criteria for a Tier 3 stream crossing as specified in administrative rule Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per administrative rule Env-Wt 302.01. The applicant has demonstrated that the existing bridge is deteriorating and needs to be replaced. Further, the existing bridge (NHDOT Bridge #165/112) is currently on the NHDOT Municipal Red List as structurally deficient and in poor condition.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per administrative rule Env-Wt 302.03. The proposed replacement bridge will be constructed as a single span within the same general footprint and alignment as the existing bridge.
4. The applicant has demonstrated by plan and example that each factor listed in administrative rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Natural Heritage Bureau (NHB) has record of a sensitive natural community within the project vicinity, but NHB does not expect impacts to the natural community by the project.
6. The applicant's agent has designed the stream crossing in accordance with NHDES Tier 3 Stream Crossings pursuant to

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administrative rule Env-Wt 904.04 and Env-Wt 904.05. The proposed design is a span structure, accommodates the 100-year frequency flood, and will restore and simulate a natural stream channel with the removal of the four existing 6 foot diameter x 24 feet long CMP culverts within the river.

7. Pursuant to administrative rule Env-Wt 904.04(f)(2), compensatory mitigation is not required for this project. The applicant has demonstrated that this replacement of a Tier 3 Stream Crossing met all applicable requirements when originally installed and meets the requirements of administrative rule Env-Wt 904.08.

8. The applicant submitted plans stamped by a NH Licensed Professional Engineer.

9. The Effingham Conservation Commission did not provide comments to NHDES.

10. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

#### MINOR IMPACT PROJECT

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2017-02005

#### NORTH CONWAY WATER PRECINCT

##### NORTH CONWAY

##### Requested Action:

Temporarily impact 3,102 square feet (SF) of palustrine emergent wetland and 1,660 SF of palustrine forested wetland for the installation of water and sewer utility lines.

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##### Conservation Commission/Staff Comments:

7-11-17 - Additional information needed per DHR.

11-02-2017 - Report received stating archaeological survey completed on October 27, 2017, and report submitted to DHR.

No sites of archaeological importance identified at project site.

##### APPROVE PERMIT

Temporarily impact 3,102 square feet (SF) of palustrine emergent wetland and 1,660 SF of palustrine forested wetland for the installation of water and sewer utility lines.

##### With Conditions:

1. All work shall be in accordance with plans by HEB Engineers, Inc., dated June 23, 2017, and revised through October 31, 2017, as received by the NH Department of Environmental Services (NHDES) on November 02, 2017.

2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.

3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

5. Work shall be done during low flow or dry conditions.

6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

7. Erosion control products shall be installed per manufacturers recommended specifications.

8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.

9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

10. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times

during construction, and shall train each operator in the use of the kits.

12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

13. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

14. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored following backfill.

15. Any fill used shall be clean sand, gravel, rock, or other suitable material.

16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

17. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and seed with a wetland seed mix appropriate to the area that shall be applied in accordance with manufacturers' specifications. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.

18. Areas from which vegetation has been cleared to gain access to the site shall be replanted with similar native species.

19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

20. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. NHDES Wetlands Program may require subsequent monitoring and corrective measures if NHDES deems the area inadequately stabilized or restored.

**With Findings:**

1. This is a Minor Project per NH Administrative Rule Env-Wt 303.03(h), as the proposed wetlands impacts are less than 20,000 square feet.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01 as there are no alternate routes around wetlands that are accessible without requiring additional easements from abutting properties. In addition, any efforts to completely avoid the wetlands would require extensive tree removal directly adjacent to the wetlands as opposed to working within the existing opening in the tree line.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03 as all impacts related to this project shall be temporary. Placement of water and sewer lines will take place in a linear manner, disturbing only a small area of soil at a time, and according to the narrative provided by HEB engineering, Inc., any soils removed for construction will be used for backfill.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. In a review letter dated June 19, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the project.

6. In a letter dated July 06, 2017, the NH Division of Historical Resources (DHR) stated that this area is considered archaeologically sensitive and additional surveys would be needed.

7. In a report dated October 31, 2017, and received by NHDES on November 02, 2017, Monadnock Archaeological Consulting, LLC., stated a Phase IA Archaeological Sensitivity Assessment of the site was completed on October 27, 2017, and no archaeological sites or areas of archaeological sensitivity were identified. No further study of this site was recommended. A copy of this report was submitted to the NH Division of Historical Resources.

**2017-02312**

**NORTHWOOD, TOWN OF**

**NORTHWOOD BOW LAKE**

**Requested Action:**

Impact 650 square feet of lakebed and 3,420 square feet of bank in order to upgrade an existing boat ramp, construct 118 linear feet of retaining wall separating the existing beach from the parking and launching areas, and replenish the beach on 2,235 feet of frontage along Bow Lake in Northwood.

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Conservation Commission/Staff Comments:

9-19-17 - No historic properties affected per DHR.

**APPROVE PERMIT**

Impact 650 square feet of lakebed and 3,420 square feet of bank in order to upgrade an existing boat ramp, construct 118 linear feet of retaining wall separating the existing beach from the parking and launching areas, and replenish the beach on 2,235 feet of frontage along Bow Lake in Northwood.

With Conditions:

1. All work shall be in accordance with revised plans by CMA Engineers dated October 27, 2017, as received by DES on October 30, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. No more than 20 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
9. This permit authorizes a single beach replenishment only. Any future beach replenishment shall require a new permit.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
12. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
13. The ramp approach shall be crowned so that drainage is directed away from the resource area and to a treatment facility or upland vegetated area.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(f) replenishment of a beach with the use of more than 10 cubic yards of sand, but not more than 20 cubic yards.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed modifications to the boat ramp and the construction of the retaining wall will improve storm control, reduce erosion, and improve public safety at this site.

**2017-02740**

**HIGHLAND LINKS COLONY HOMEOWNERS ASSOC**

**HOLDERNESS Unnamed Pond**

Requested Action:

Dredge and fill 570 square feet (SF) of unnamed intermittent stream (impacting 60 linear feet along the thread of the channel) to modify an existing low-hazard dam (#118.11). In addition, temporarily impact 530 SF of pond bed (18 linear feet along the shoreline) for construction of the new spillway.

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Conservation Commission/Staff Comments:  
Highland Links Colony Dam # 118.11

#### APPROVE PERMIT

Dredge and fill 570 square feet (SF) of unnamed intermittent stream (impacting 60 linear feet along the thread of the channel) to modify an existing low-hazard dam (#118.11). In addition, temporarily impact 530 SF of pond bed (18 linear feet along the shoreline) for construction of the new spillway.

#### With Conditions:

1. All work shall be in accordance with plans by Frank Tilton, dated August 15, 2017, as received by the NH Department of Environmental Services (DES) on September 11, 2017.
2. This permit is not valid unless compliance with RSA 482-A and New Hampshire Administrative Rule Env-Wr 100, et. seq., NHDES Dam Program, is achieved.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. All work shall be conducted after the pond is drawn down or during seasonal low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Code of Administrative Rules Env-Wq 1700.
5. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
6. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. If implementation of a temporary cofferdam is necessary, then a final plan for such shall be submitted to DES for review and approval. The final plan shall include all measures of temporary diversion and dewatering (including the area to which water will be directed from the de-watered work area) as well as be stamped by a Licensed Professional Engineer.
8. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
9. Filter fabric shall be installed under the rip-rap.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Erosion control products shall be installed per manufacturers recommended specifications.
16. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
21. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
23. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.



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24. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.

**With Findings:**

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(l), disturbance of less than 200 linear feet of a perennial nontidal stream.
2. The plan also includes lowering a domestic water supply line that runs along the axis of the existing dam to ensure that it remains functional after the project.
3. The Watershed Study Summary Report (dated December 3, 2014) by Headwaters Hydrology determined the watershed drainage area to be approximately 185 acres. Based on aerial imagery, the existing impoundment, prior to the project, is less than 0.25 acre.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The Highland Links Homeowners Association is seeking to modify an existing low-hazard dam such that it will no longer be a jurisdictional dam per RSA 482:2 II. (a).
6. The NHDES Dam number for the subject dam is 118.11. The owner of the dam was issued a Letter of Deficiency (LOD) by the NHDES Dam Bureau in 2002, primarily for vegetation maintenance along the embankment. Another LOD was issued by the NHDES Dam Bureau in August 2013 to address deficiency in hydraulic capacity.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. Though not a typical stream restoration project, the proposed spillway has been designed to emulate the up and downstream channel geometry and substrate characteristics while still maintaining a small impoundment area.
9. The permit is conditioned upon work being done during low flow periods when the impoundment is typically low enough for work to occur in dry conditions. Further, the permit contains a condition requiring oversight by a licensed Professional Engineer (PE) in the event that a temporary cofferdam is necessary.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
11. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-0357) stated that there were no recorded occurrences for sensitive species near this project area.
12. DES Staff conducted a field inspection of the proposed project on August 26, 2016 with Wetlands Bureau and Dam Bureau personnel.
13. No comments of concern were received by DES from abutters or local governing organizations.

**MINIMUM IMPACT PROJECT**

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2017-02577

MAURO, PATRICK

**STODDARD HIGHLAND LAKE**

**Requested Action:**

Install a 4 foot x 24 foot seasonal pier on an average of 63 feet of frontage along Highland Lake in Stoddard.

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**APPROVE PERMIT**

Install a 4 foot x 24 foot seasonal pier on an average of 63 feet of frontage along Highland Lake in Stoddard.

**With Conditions:**

1. All work shall be in accordance with plans as received by DES on August 28, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of

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RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be from the abutting property lines or the imaginary extension of those lines into the water as authorized by the affected abutters in conditional waivers of the standard 20 foot setback notarized on June 8, 2017 and July 5, 2017.
7. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
8. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) construction or modification of a seasonal pier or wharf if no more than 2 slips, including previously existing slips, are proposed.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-02636

MURPHY, THOMAS

**RYE ATLANTIC OCEAN**

Requested Action:

Impact a total of 5,244 square feet with the previously-developed 100-foot tidal buffer zone to include 5,000 square feet of temporary impact and 244 square feet of permanent impact to replace a damaged 6-inch clay drain line with an improved drainage system and associated site work on a single-family residential lot of approximately 1.38 acres.

\*\*\*\*\*

APPROVE PERMIT

Impact a total of 5,244 square feet with the previously-developed 100-foot tidal buffer zone to include 5,000 square feet of temporary impact and 244 square feet of permanent impact to replace a damaged 6-inch clay drain line with an improved drainage system and associated site work on a single-family residential lot of approximately 1.38 acres.

With Conditions:

1. All work shall be in accordance with plans by Ross Engineering revised through 10/19/2017 as received by the NH Department of Environmental Services (NHDES) on October 20, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES and the local Rye Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Work shall be done during periods of low tide only on the seaward side of the seawall.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. No concrete is to be used anywhere in the construction of the stone riprap revetment. All stone shall be dry laid or placed stone underlain with filter fabric.
10. Any stone used in the construction or repair of a seawall shall be of suitable size and weight to assure that the structure is stable and will withstand ocean storm wave energy anticipated at this location.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11/13/2017 to 11/19/2017

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Rye Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2017-02797

BOYNTON III, FREEMAN

**SUTTON Unnamed Wetland**

Requested Action:

Dredge and fill a total of 7,400 square feet of wetland to construct a fire pond and a driveway as follows: dredge 7,200 square feet of wetland to construct a fire pond and fill 200 square feet of wetland and install a 24 inch x 28 foot CPP culvert to construct a driveway to access a single family residential lot on 11.9 acres.

\*\*\*\*\*

APPROVE PERMIT

Dredge and fill a total of 7,400 square feet of wetland to construct a fire pond and a driveway as follows: dredge 7,200 square feet of wetland to construct a fire pond and fill 200 square feet of wetland and install a 24 inch x 28 foot CPP culvert to construct a driveway to access a single family residential lot on 11.9 acres.

With Conditions:

1. All work shall be in accordance with plans by McCourt Engineering Associates, PLLC dated July 13, 2017 as received by the NH Department of Environmental Services (NHDES) on September 15, 2017.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved, if necessary.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
10. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) and Env-Wt 303.04(f), construction of a pond with less than 20,000 square feet of wetlands impact and alteration of less than 3,000 square feet in swamps and wet meadows associated with construction of a driveway.
2. The need for the proposed impacts has been demonstrated by the applicant per Administrative Rule Env-Wt 302.01. The applicant has demonstrated that wetland impact is necessary to access buildable uplands and construct a fire pond to provide a source of water for fire suppression in emergency conditions.
3. In accordance with Administrative Rule Env-Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, as this project proposes to construct a fire pond in both uplands and wetlands with supporting documentation from the Sutton Fire Chief. In addition, the applicant has demonstrated that the driveway is combined with the berm of the fire pond and through the most narrow portion of the wetland.
4. In accordance with Administrative Rule Env-Wt 303.04(p)(2) and Administrative Rule Env-Wt 303.04(p)(3), the applicant has demonstrated that there are no streams into or out of the proposed pond site and the project is not located in or adjacent to prime wetlands.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The NH Natural Heritage Bureau has no record of sensitive species within the project vicinity.
7. The Sutton Conservation Commission did not submit comments to NHDES.

2017-02802

NH DEPT OF TRANSPORTATION

PORTSMOUTH PISCATAQUA RIVER

Requested Action:

Rehabilitate two bridges (#241/053 & #031/142) to include bridge expansion joint replacement and sidewalk reconstruction along the bridge approaches impacting 1,632 sq. ft. ( 832 sq. ft. temporary) of previously developed upland areas within the 100 ft. of the highest observable tide line including 800 sq. ft. of fill to repair a gravel shoulder. NHDOT project #41253

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comms. - no comments

APPROVE PERMIT

Rehabilitate two bridges (#241/053 & #031/142) to include bridge expansion joint replacement and sidewalk reconstruction along the bridge approaches impacting 1,632 sq. ft. ( 832 sq. ft. temporary) of previously developed upland areas within the 100 ft. of the highest observable tide line including 800 sq. ft. of fill to repair a gravel shoulder. NHDOT project #41253

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 7/17, as received by the Department on Sept. 15, 2017.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.

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4. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
5. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
7. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.02(b), projects in previously developed upland areas within 100 feet of the highest observable tide line and area not major or minor as defined in Env-Wt 302.02 or Env-Wt 302.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) and (c) Requirements for Application Evaluation, has been considered in the design of the project.

**EXPEDITED MINIMUM**

\*\*\*\*\*

2017-02765

TUFTONBORO, TOWN OF

**TUFTONBORO MIRROR LAKE**

Requested Action:

Impact 735 square feet in order to repair and upgrade an existing boat ramp along 50 linear feet of shoreline along Mirror Lake in Tuftonboro.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 735 square feet in order to repair and upgrade an existing boat ramp along 50 linear feet of shoreline along Mirror Lake in Tuftonboro.

With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design Group dated August 10, 2017, and received by the NH Department of Environmental Services (DES) on October 26, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Mirror Lake.
6. The ramp approach shall be crowned so that drainage is directed away from the resource area and to a treatment facility or upland vegetated area.
7. The boat ramp shall be used indefinitely as a public access to Mirror Lake and shall not change in use.

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
11. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) maintenance, repair, or replacement of an in-kind existing docking structure such as a boat ramp.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

2017-03110

NH DEPT OF TRANSPORTATION

HARRISVILLE SILVER LAKE

Requested Action:

Impact 1,860 square feet of bank along 50 linear feet of shoreline in order to install water bars and plantings to stabilize eroding soils, improve pedestrian traffic control, and provide safe access on an average of 546 feet of frontage along Silver Lake in Harrisville.

\*\*\*\*\*

APPROVE PERMIT

Impact 1,860 square feet of bank along 50 linear feet of shoreline in order to install water bars and plantings to stabilize eroding soils, improve pedestrian traffic control, and provide safe access on an average of 546 feet of frontage along Silver Lake in Harrisville.

With Conditions:

1. All work shall be in accordance with plans by Donald R. Scott, RLA dated July 8, 2017, as received by DES on October 18, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
8. Work shall be done during low flow and in the dry only.
9. The water bars shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
10. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

11/13/2017 to 11/19/2017

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2017-02791**

**BOUDREAU, MAURICE/SHARON**

**WAKEFIELD LOVELL LAKE**

**Requested Action:**

Permanently remove an unpermitted 7 foot x 20 foot wharf, replace 21 linear feet of stone and mortar retaining wall, relocate a 6 foot x 30 foot seasonal pier, repair 6 foot wide access stairs in-kind, and repair 28 linear feet of 1 foot high retaining wall at the top of bank in-kind on 87 feet of frontage along Lovell Lake, in Wakefield.

\*\*\*\*\*

Inspection Date: 10/13/2017 by ROSEMARY E AURES

**APPROVE PERMIT**

Permanently remove an unpermitted 7 foot x 20 foot wharf, replace 21 linear feet of stone and mortar retaining wall, relocate a 6 foot x 30 foot seasonal pier, repair 6 foot wide access stairs in-kind, and repair 28 linear feet of 1 foot high retaining wall at the top of bank in-kind on 87 feet of frontage along Lovell Lake, in Wakefield.

**With Conditions:**

1. All work shall be in accordance with revised plans by Fernstone Associates for the Natural Resources dated November 2, 2017, as received by DES on November 4, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
5. All portions of the existing 7 foot x 20 foot wharf shall be completely removed from the frontage prior to the initiation of any of the approved repair work.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater

11/13/2017 to 11/19/2017

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
12. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
13. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 572.12).
14. All seasonal structures shall be removed for the non-boating season.
15. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
16. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
17. Work shall be done during drawdown and in the dry only.
18. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
19. No rocks shall be added to the bank area located between the two retaining walls, whether obtained from the site or brought to the site.
20. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. DES Staff conducted a field inspection of the proposed project on October 13, 2017. Field inspection determined that the project is not an in-kind replacement of existing structures and that the docking structures were not installed in compliance with Wetlands Seasonal Dock Notification for Lakes and Ponds # 2000-01366.
3. The removal of the wharf will bring the frontage into compliance with Wetlands Seasonal Dock Notification for Lakes and Ponds #2000-01366 and RSA 482-A:3, IV-a.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

**2017-03222**

**PEAL, MARTIN  
BURNS, JILL**

**LACONIA LAKE WINNIPESAUKEE**

**Requested Action:**

Repair/replace in-kind 146 ft. X 1 ft. 6 in. X 3 ft. retaining wall; 2 ft. 4 in. X 8 ft. dock steps; and 6 ft. 4 in. X 8 ft. patio steps according to plan drawings by Stoney Ridge Environmental LLC dated 10/25/2017 received by NHDES on 11/16/2017 on frontage along Lake Winnepesaukee in Laconia.

\*\*\*\*\*

**PBN IS COMPLETE**

Repair/replace in-kind 146 ft. X 1 ft. 6 in. X 3 ft. retaining wall; 2 ft. 4 in. X 8 ft. dock steps; and 6 ft. 4 in. X 8 ft. patio steps according to plan drawings by Stoney Ridge Environmental LLC dated 10/25/2017 received by NHDES on 11/16/2017 on frontage along Lake Winnepesaukee in Laconia.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) for the repair or replacement of existing retaining walls that is performed "in the dry" and that results in no change in height, length, location, or configuration. If this wall is to be refaced such additional width shall not exceed 6 inches.
2. And per Rule Env-Wt 303.04 (x) for the maintenance, repair, or replacement of a non-docking structure that results in no change in location, configuration, construction type, or dimensions.



2017-03241

KEENE, CITY OF

**KEENE Unnamed Wetland**

\*\*\*\*\*

With Findings:

Maintenance dredge 1,250 square feet of a man made ditch filed per the condition of emergency authorization 2017-03241.

**FORESTRY NOTIFICATION**

\*\*\*\*\*

2017-03184

MEDLYN, RICHARD

**BROOKLINE Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION

BROOKLINE; TAX MAP# D; LOT 50

2017-03225

BRIAN & MIKES TIMBER HARVESTING LLC

**HILL Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION

HILL; TAX MAP# R13; LOT(S)# 3-4, 3-2

2017-03357

YMCA CAMP CONISTON

**SPRINGFIELD**

\*\*\*\*\*

COMPLETE NOTIFICATION

SPRINGFIELD; TAX MAP# 5; LOT# 82; BLOCK# 512

2017-03358

CURRIER, JOHN

**DEERFIELD Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
DEERFIELD; MAP# 419; LOT# 41

**2017-03372**

**PROVINCE LINE ASSOCIATES**

**WAKEFIELD Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
WAKEFIELD; TAX MAP#19; LOT# 2

**2017-03380**

**FRENCH FAMILY EXEMPT TRUST**

**RUMNEY Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
RUMNEY; TAX MAP# 12; LOT# 15-6

**2017-03407**

**BEESON, BRY**

**ORFORD Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
ORFORD; TAX MAP# 8-89; LOT# 96

**GOLD DREDGE**

\*\*\*\*\*

**2017-03267**

**DECKER, JONATHAN**

**(ALL TOWNS) Unnamed Stream**

\*\*\*\*\*

**LAKES-SEASONAL DOCK NOTIFICATION**

\*\*\*\*\*

**2017-03359**

**CARLSON, CAROL**

**FRANCESTOWN PLEASANT POND**

**Requested Action:**

Install a seasonal pier not to exceed 4 ft. X 30 ft. on frontage along Pleasant Pond in Francestown.

\*\*\*\*\*

**COMPLETE NOTIFICATION**

Install a seasonal pier not to exceed 4 ft. X 30 ft. on frontage along Pleasant Pond in Francestown.

**2017-03383**

**AVERY, STEPHEN**

**DEERING DEERING RESERVOIR**

**Requested Action:**

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Deering Reservoir in Deering.

\*\*\*\*\*

**COMPLETE NOTIFICATION**

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Deering Reservoir in Deering.

**With Findings:**

No license is required for use of State property from NHDES per email from Mark Stevens, NHDES Land Agent dated 10/03/2017.

**2017-03392**

**SCOVELL, HELEN**

**NEW LONDON PLEASANT LAKE**

**Requested Action:**

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Pleasant Lake in New London.

\*\*\*\*\*

**COMPLETE NOTIFICATION**

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Pleasant Lake in New London.

**EMERGENCY AUTHORIZATION**

\*\*\*\*\*

**2017-02951**

**KEENE, CITY OF**

**KEENE Unnamed Wetland**

**Requested Action:**

Emergency Authorization to restore embankment to original grade with crushed gravel and 4-6 inches of topsoil, due to a 12 inch water main break that occurred where the main crossed one of our man made "tax ditches".

\*\*\*\*\*

**CONFIRM EMERGENCY AUTHORIZATION**

Emergency Authorization to restore embankment to original grade with crushed gravel and 4-6 inches of topsoil, due to a 12 inch water main break that occurred where the main crossed one of our man made "tax ditches".

**With Conditions:**

1. The owner shall file a follow-up Permit By Notification application before October 20, 2017.
2. The owner shall notify the municipal Conservation Commission and Board of Selectmen prior to the start of work.
3. This form shall be posted at the work site in a location that is visible to the public (to the extent possible).
4. Appropriate siltation and erosion controls shall be utilized.

**With Findings:**

1. This project qualifies as a Minimum Impact Project eligible for Permit by Notification per Env-Wt 506.01(a)3.
2. This permit was issued as an Emergency Authorization per Env-Wt 503.01.

**SHORELAND PERMIT**

\*\*\*\*\*

**2015-01642**

**ALISON W SCOTT TRUST**

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 4,510 sq ft in order to replace an existing garage with a larger garage, expand the driveway, and raise the grade around the existing residence under construction per Shoreland Permit 2013-02970.

**AMENDMENT DESCRIPTION:** Perform minor change to garage and driveway footprints.

\*\*\*\*\*

**APPROVE AMENDMENT**

Impact 4,510 sq ft in order to replace an existing garage with a larger garage, expand the driveway, and raise the grade around the existing residence under construction per Shoreland Permit 2013-02970.

11/13/2017 to 11/19/2017

**AMENDMENT DESCRIPTION:** Perform minor change to garage and driveway footprints.

**With Conditions:**

1. All work shall be in accordance with revised plans by Ames Associates dated November 7, 2017 and received by the NH Department of Environmental Services (DES) on November 8, 2017.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,925 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-01609

**CORNING FAMILY TRUST**

**TUFTONBORO LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 13,700 sq. ft. of protected shoreland in order to relocate residence and add deck; construct second residence; modify existing driveway; install new septic; install one walkway from each residence.

**AMENDMENT DESCRIPTION:** Install retaining walls between the two residences.

\*\*\*\*\*

**APPROVE AMENDMENT**

Impact 13,700 sq. ft. of protected shoreland in order to relocate residence and add deck; construct second residence; modify existing driveway; install new septic; install one walkway from each residence.

**AMENDMENT DESCRIPTION:** Install retaining walls between the two residences.

**With Conditions:**

1. All work shall be in accordance with revised plans by Ames Associates dated November 2, 2017 and received by the NH Department of Environmental Services (DES) on November 7, 2017.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 13.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 6,516 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02621

**BAILEY FAMILY LIMITED PARTNERSHIP**

**NEW DURHAM MERRYMEETING LAKE**

Requested Action:

Impact 5,060 square feet of protected shoreland in order to rebuild existing cottage, construct a garage, retaining wall, and pervious patio, reconfigure walkways and driveway, restore woodland buffer.

\*\*\*\*\*

APPROVE PERMIT

Impact 5,060 square feet of protected shoreland in order to rebuild existing cottage, construct a garage, retaining wall, and pervious patio, reconfigure walkways and driveway, restore woodland buffer.

Temporary Waiver Granted: Temporarily reduce the area of the Natural Woodland below that which is required per RSA 483-B:9, V, (b) for the purposes of constructing a conforming primary structure. Post-construction restoration planting required.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC revised through November 6, 2017 and received by the NH Department of Environmental Services (NHDES) on November 8, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 19.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Prior to the occupancy of the residential structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau.
5. Following planting, all planted vegetation within the woodland buffer shall be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2). The regeneration of ground cover in the planted area shall not be suppressed by the use of bark mulch or other materials; hay mulch may be used temporarily to establish vegetation.
6. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
7. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
8. Native vegetation within an area of at least 1,989 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

11/13/2017 to 11/19/2017

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

16. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

17. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**With Findings:**

1. In accordance with RSA 483-B:9, V, (i) The commissioner shall have the authority to grant waivers from the Minimum Shoreland Protection Standards section (RSA 483-B:9). Such authority shall be exercised if the commissioner deems that strict compliance with RSA 483-B:9 will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state.
2. The proposed temporary removal of unaltered vegetation is necessary in order to construct the proposed garage given the locations of lot boundaries and grades.
3. Post-construction the woodland buffer shall be restored with native plantings to a greater amount of unaltered vegetation between 50 and 150 feet from the reference line than is existing.
4. The waiver request submitted demonstrates that strict compliance will not provide material benefit to the public and will have no material adverse effect on the environment or the natural resources of the state, and therefore, the requirements for a temporary waiver in accordance with RSA 483-B:9, V, (i) have been met.

**2017-02720**

**WARD, THOMAS**

**DERRY BIG ISLAND POND**

**Requested Action:**

Impact 1,550 square feet (SF) of protected shoreland in order to replace existing house with similar size house; install stormwater management system.

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**APPROVE PERMIT**

Impact 1,550 square feet (SF) of protected shoreland in order to replace existing house with similar size house; install stormwater management system.

**With Conditions:**

1. All work shall be in accordance with revised plans by Moulton Engineering PLLC dated November 15, 2017 and received by the NH Department of Environmental Services (NHDES) on November 16, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 35% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 555 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.

10. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02814

PRUDHOMME, ROBERT/NICORINA

**CARROLL AMMONOOSUC RIVER**

**Requested Action:**

Impact 6,400 square feet of protected shoreland in order to retain impacts for clearing of the lot and construction of a shed, and for impacts to construct a new residential structure, patio, and septic system.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 6,400 square feet of protected shoreland in order to retain impacts for clearing of the lot and construction of a shed, and for impacts to construct a new residential structure, patio, and septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. revised through October 17, 2017 and received by the NH Department of Environmental Services (NHDES) on October 26, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 17.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 152 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.



2017-02858

MAISON BELLE LLC

**HAMPSTEAD WASH POND**

**Requested Action:**

Impact 32,402 square feet of protected shoreland in order to construct a residential structure, septic system, driveway, and associated improvements.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 32,402 square feet of protected shoreland in order to construct a residential structure, septic system, driveway, and associated improvements.

**With Conditions:**

1. All work shall be in accordance with plans by Lavelle Associates dated September 6, 2017 and received by the NH Department of Environmental Services (NHDES) on November 15, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 12.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 9,287 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
7. No impacts to natural ground cover shall occur within the waterfront buffer.
8. Within the protected shoreland, no fertilizer shall be applied to vegetation or soils located within 25 feet of the reference line. Beyond 25 feet, only slow or controlled release fertilizer may be used.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03052

SEPPA REALTY TRUST

**RINDGE MONOMONAC LAKE**

Requested Action:

Impact 8,108 square feet (SF) of protected shoreland in order to remove an existing 1,386 SF house and build a new 3,030 SF house and garage.

\*\*\*\*\*

APPROVE PERMIT

Impact 8,108 square feet (SF) of protected shoreland in order to remove an existing 1,386 SF house and build a new 3,030 SF house and garage.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated June 29, 2017 and received by the NH Department of Environmental Services (NHDES) on October 19, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 21% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,331 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03090

CANADA, ELIZABETH  
TAYLOR, WILLIAM

FREEDOM OSSIPEE LAKE

Requested Action:

Impact 4,283 square feet (SF) of protected shoreland in order to construct a new dwelling and two pervious walkways on a previously developed lot.

\*\*\*\*\*

APPROVE PERMIT

Impact 4,283 square feet (SF) of protected shoreland in order to construct a new dwelling and two pervious walkways on a previously developed lot.

11/13/2017 to 11/19/2017

With Conditions:

1. All work shall be in accordance with plans by Mark McConkey dated October 13, 2017 and received by the NH Department of Environmental Services (NHDES) on October 17, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,498 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03103

CARTER, ROBERT

DEERING DEERING RESERVOIR

Requested Action:

Impact 3,326 square feet of protected shoreland in order to construct an addition to an existing residential structure, infiltration trenches, and septic system.

\*\*\*\*\*

APPROVE PERMIT

Impact 3,326 square feet of protected shoreland in order to construct an addition to an existing residential structure, infiltration trenches, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated October 9, 2017 and received by the NH Department of Environmental Services (NHDES) on October 25, 2017.
2. The proposed structure shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 18.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,836 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

11/13/2017 to 11/19/2017

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03107

LABRANCHE, DEBORAH/MICHAEL  
LABRANCHE, MICHAEL

**MILTON NORTHEAST POND**

**Requested Action:**

Impact 6,524 square feet (SF) in order to raze existing buildings and replace with a new 28 ft. x 44 ft. primary structure with deck located landward of the primary building setback.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 6,524 square feet (SF) in order to raze existing buildings and replace with a new 28 ft. x 44 ft. primary structure with deck located landward of the primary building setback.

**With Conditions:**

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated September 8, 2017 and received by the NH Department of Environmental Services (NHDES) on October 18, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 23.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11/13/2017 to 11/19/2017

13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03125

N&M WINCHESTER PROPERTIES LLC

**SWANZEY WILSON POND**

**Requested Action:**

Impact 3,639 square feet (SF) of protected shoreland in order to tear down existing house, shed and garage complex; remove some impervious surfaces; new house is proposed mostly within the previous footprint; portion of paved driveway will be reconfigured and reduced in size.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 3,639 square feet (SF) of protected shoreland in order to tear down existing house, shed and garage complex; remove some impervious surfaces; new house is proposed mostly within the previous footprint; portion of paved driveway will be reconfigured and reduced in size.

**With Conditions:**

1. All work shall be in accordance with plans by SVE Associates dated September 21, 2017 and received by the NH Department of Environmental Services (NHDES) on October 19, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 19.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03133

CANOBIE LAKE REALTY CORPORATION

**SALEM CANOBIE LAKE**

**Requested Action:**

Impact 5,950 square feet (SF) of protected shoreland in order to construct a new water attraction with impacts no closer than 185 feet from the reference line of Canobie Lake.

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**APPROVE PERMIT**

Impact 5,950 square feet (SF) of protected shoreland in order to construct a new water attraction with impacts no closer than 185 feet from the reference line of Canobie Lake.

**With Conditions:**

1. All work shall be in accordance with plans by SFC Engineering dated October 13, 2017 and received by the NH Department of Environmental Services (NHDES) on October 20, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 40.66% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2017-03135**

**DURHAM, ANNA/MICHAEL  
BOSIES, ROSE & KENNETH**

**SANDOWN PHILLIP'S POND**

**Requested Action:**

Impact 5,561 square feet of protected shoreland in order to construct a section of garage and brick paver driveway.

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**APPROVE PERMIT**

Impact 5,561 square feet of protected shoreland in order to construct a section of garage and brick paver driveway.

**With Conditions:**

1. All work shall be in accordance with plans by Promised Land Survey, LLC received by the NH Department of Environmental Services (NHDES) on October 20, 2017.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 16.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 4,852 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

11/13/2017 to 11/19/2017

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03140

PAPPAJOHN, BARBARA/GUS

**FRANKLIN WEBSTER LAKE**

**Requested Action:**

Impact 1,146 square feet (SF) of protected shoreland in order to construct an addition, porch and install a new septic system.

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**APPROVE PERMIT**

Impact 1,146 square feet (SF) of protected shoreland in order to construct an addition, porch and install a new septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Hinds Septic Design Services dated October 10, 2017 and received by the NH Department of Environmental Services (NHDES) on October 20, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 25% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 84 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11/13/2017 to 11/19/2017

11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03175

PANAGIOTAKOS, JOHN

**FREEDOM OSSIPEE LAKE**

**Requested Action:**

Impact 8,107 square feet (SF) of protected shoreland in order to construct a primary structure, driveway, septic, and a temporary access road.

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**APPROVE PERMIT**

Impact 8,107 square feet (SF) of protected shoreland in order to construct a primary structure, driveway, septic, and a temporary access road.

**With Conditions:**

1. All work shall be in accordance with plans by Mark McConkey dated November 14, 2017 and received by the NH Department of Environmental Services (NHDES) on November 16, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 15% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,733 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.